

## REMARKS

Claims 1, 8, 11, 16, and 28 have been amended to correct typographical errors only. The changes do not alter in any way the scope of the claims. Entry of the amendment is therefore respectfully requested.

### **Request to Withdraw Improper Finality:**

Applicant respectfully submits that the final rejection is premature under MPEP § 706.07(c). The Examiner stated in the office action that “Applicant’s amendment necessitated the new ground(s) of rejection presented in this Office Action.” (Final Office Action dated December 24, 2008, page 6). Applicant respectfully traverses this contention. In Applicant’s amendment dated September 17, 2008, Applicant incorporated the subject matter of dependent claim 15 into independent claims 1 and 11. The examiner has already examined the subject matter of claim 15 as it was pending prior to the September 17th amendment. Accordingly, Applicant submits that the September 17th amendment did not necessitate new grounds of rejection. Applicant respectfully requests the Examiner to withdraw the finality of the last Office Action pursuant to MPEP § 706.07(d).

### **Request for Reconsideration of the Rejections:**

In the Office Action, the Examiner rejected claims 1, 4, 8, 11, 12, 15, 16, 18, 28, 30 and 31 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,750,039 to Bargoot et al. (“Bargoot”). Applicant respectfully traverses the rejection. Independent claims 1 and 11 recite a system including a platform, “said platform being configured to be only partially withdrawn from said container.” (Emphasis added). Independent claim 28 recites a system where the frame is “configured to be only partially withdrawn from said container.” (Emphasis added). Independent claim 31 recites a cover “being adapted to remain in moveable connection to said frame.” (Emphasis added). Bargoot teaches a filtration apparatus where “the Slide Holder latches are released and the filter slide is removed from the assembly, placed in a standard slide tray, and placed in a wash solution at elevated temperature for 30 minutes.” (Bargoot, col. 9, lines 43-47; Fig. 10.) The slide taught by Bargoot is completely removed from the holder. Bargoot does not teach or suggest a storage system as recited in independent claims 1, 11, 28 and

31. Accordingly, Applicant submits that the rejection of claims 1, 4, 8, 11, 12, 15, 16, 18, 28, 30 and 31 under 35 U.S.C. § 102(e) as being anticipated by Bargoot has been overcome.

The Examiner rejected claims 6, 7, 20 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Bargoot in view of U.S. Patent No. 6,818,180 to Douglas et al.; and claims 2, 5, 9, 10, 14, 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Bargoot in view of U.S. Patent No. 5,872,713 to Douglas et al. Applicant submits that the rejections of dependent claims 2, 5-7, 9, 10, 14 and 20-23 are rendered moot at least due to the allowability of independent claims 1 and 11, from which claims 2, 5-7, 9, 10, 14 and 20-23 depend either directly or indirectly.

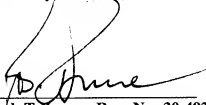
Applicant submits that independent claims 1, 11, 28 and 31 are patentable and that dependent claims 2, 4-10, 12-14, 16, 18, 20-23, 29 and 30 dependent from one of independent claims 1, 11, 28 and 31, or claims dependent therefrom, are patentable at least due to their dependency from an allowable independent claim.

In view of the foregoing remarks, it is respectfully submitted that the claims, as amended, are patentable. Therefore, it is requested that the Examiner reconsider and withdraw the outstanding rejections in view of the preceding comments.

Issuance of a timely Notice of Allowance of the claims is earnestly solicited.

The Commissioner if authorized to charge any fees or credit any overpayments relating to this application to Deposit Account No. 18-2055.

Respectfully submitted,

  
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I certify that this paper is being electronically submitted to the U.S. Patent and Trademark Office via the PAIR (Patent Application Information Retrieval) system on the following date:

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